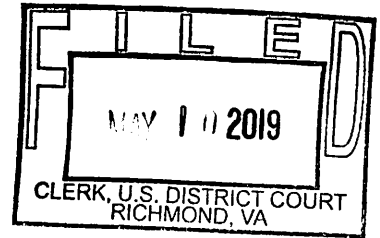


**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**



**ALTONIO JONES,**

Plaintiff,

v.

Civil Action No. **3:18CV582**

**JIM O'SULLIVAN, et al.,**

Defendants.

**MEMORANDUM OPINION**

Plaintiff, a federal inmate proceeding *pro se* and *in forma pauperis*, filed this 42 U.S.C. § 1983 action. In order to state a viable claim under 42 U.S.C. § 1983, a plaintiff must allege that a person acting under color of state law deprived him or her of a constitutional right or of a right conferred by a law of the United States. *See Dowe v. Total Action Against Poverty in Roanoke Valley*, 145 F.3d 653, 658 (4th Cir. 1998) (citing 42 U.S.C. § 1983). Plaintiff's current allegations fail to provide each defendant with fair notice of the facts and legal basis upon which his or her liability rests. *See Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007) (quoting *Conley v. Gibson*, 355 U.S. 41, 47 (1957)). Accordingly, by Memorandum Order entered on March 4, 2019, the Court directed Plaintiff to submit a particularized complaint within fourteen (14) days of the date of entry thereof. The Court warned Plaintiff that the failure to submit the particularized complaint would result in the dismissal of the action.

On April 1, 2019, the Court granted Plaintiff a fifteen-day extension of time in which to file his particularized complaint.

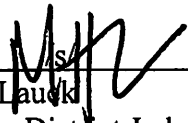
More than fifteen (15) days have elapsed since the entry of the April 1, 2019 Memorandum Order. Plaintiff failed to submit a particularized complaint or otherwise respond



to either the March 4, 2019 or April 1, 2019 Memorandum Orders. Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

An appropriate Order will accompany this Memorandum Opinion.

Date: **MAY 10 2019**  
Richmond, Virginia

  
\_\_\_\_\_  
M. Hannah Lauk  
United States District Judge